

MINUTES
PROTECTION & WELFARE COMMITTEE
Monday, November 27, 2017
City Hall, Room 207
5:00 p.m.

MEMBERS PRESENT: Chairperson Randy Scannell, Vice Chairperson Barbara Dorff, Ald. Bill Galvin, Ald. Guy Zima

MEMBERS EXCUSED: None

MEMBERS ABSENT: None

OTHERS PRESENT: Asst. City Atty Joanne Bungert, Captain Todd LePine, Ald. David Nennig, Ald. Andy Nicholson, Development Services Manager Bill Lockery, Safety Manager Colleen Hinz, Humane Officer Meves, Chief of Staff Celestine Jeffreys, Community Investment Manager Bill Paape and other interested parties.

1. Roll Call.

All members were present. Chairperson Scannell called the meeting to order at 5 p.m.

2. Approval of the Agenda.

A motion was made by Ald. Dorff and seconded by Ald. Zima to approve the agenda. There were no objections and motion carried.

3. Approval of the minutes from the October 30, 2017 meeting.

A motion was made by Ald. Dorff and seconded by Ald. Galvin to approve the minutes from the October 30, 2017 meeting. There were no objections and motion carried.

4. Consideration with possible action on an appeal by Robert Hudson to the denial of his permit for a third dog.

Officer Meves spoke before the committee on her decision to deny the permit. Officer Meves said she denied the permit due to violations of the dogs and cats not being licensed or vaccinated and concerns of the size of the home. The family also runs a day care through their home, which brought up health concerns. .

Ald. Galvin asked if the violations have been resolved.

Officer Meves said the dogs are now licensed, however, was not sure of the cats. She said the daycare is currently in regulation. The kitchen is small, and a mastiff dog is an extra-large breed dog.

Ald. Dorff mentioned the notes said the family intends to move out of the city next summer.

Officer Meves said additional space would be helpful. Officer Meves said the neighbors also had objections to the family obtaining another dog due to barking and excessive waste.

Ald. Zima confirmed the basis of the denial was that the house was too small.

Officer Meves said her decision was based that having a daycare in small proximity could pose a safety and health risk. Other factors were on neighbor complaint and rat issues.

Ald. Galvin asked how many people and pets are living there.

Officer Meves said two adults and 5 children. The household currently has two dogs and two cats.

Ald. Galvin asked how many children are in the daycare.

Officer Meves said she believes it was one or two additional children.

Ald. Galvin asked when Officer Meves visited the home.

Officer Meves said Oct. 24 and there were two cats not vaccinated or licensed. She has not come back as she gives owners one month to correct issues. Officer Meves said she received three neighborhoods letters back that were against the owners obtaining an additional dog.

Ald. Galvin asked if the issues were corrected, would she be in favor or against the additional dog.

Officer Meves said based off the home size, she would still be against as the space is inadequate.

Ald. Zima asked about how big the mastiff is as it is currently puppy.

Officer Meves said a mastiff would be a small dog for a month or two and can reach up to 180 pounds.

A motion was made by Ald. Galvin and seconded by Ald. Zima to open the floor. Motion carried.

Robert Hudson, 835 15th Ave, spoke before the committee. He responded to the feces, which he said has been cleaned up. Hudson said he was unaware it had to be picked

up within 24 hours and has since been sure to have it picked up within that timeframe. Hudson mentioned he made changes recommended by Officer Meves regarding proper removal and disposal of dog feces.

He also said he recently got the cats vaccinated. Hudson took them in because of his mom's health. He said he went to Clerk's Office to have them licensed, however, were not able to as the 2018 tags would not be available until December 1

Hudson noted it was a smaller house, but the family was looking for a new home in Suamico with more space. He said his current home had a finished upstairs so the house is approximately 1400 to 1500 square feet. Hudson said he has 5 children and his wife takes care of two additional children through the day care. The parents of the children would be willing to write a letter in support of the Hudson family obtaining a third dog.

Ald. Dorff asked why not wait to get a dog.

Hudson said he put a non-refundable down payment on the dog.

Ald. Zima asked if he has spoken with his neighbors.

Hudson said he has spoken with five of his neighbors, which had no objections. He said they did not receive any paperwork. He mentioned there was one neighbor that might not like him because his children play outside.

Ald. Zima asked if Hudson would be willing to have a stipulation the permit that would allow the Hudson family to have the dog, but they would need to move by a certain date.

Hudson said he does have family in Gillett that would be able to take the dog if that would be a condition.

Ald. Dorff asked after hearing Hudson's responses, if Officer Meves had a different opinion.

Officer Meves said the concern would be if they do not move.

Ald. Galvin asked if there could be a condition added to a permit that they move within a certain timeframe.

Asst Cty Atty Bungert said she would be hesitant to do so as once a license is issued it is harder to be taken away and it could result in a court action.

Hudson said his lease is up at the end of June and would need to find a new home at that time anyways.

A motion was made by Ald. Dorff and seconded by Ald. Zima to close the floor. Motion carried.

Ald. Dorff wanted to vote in favor of the additional dog.

Ald. Zima wanted to vote in favor of the additional dog, with a stipulation that the dog be removed by July 1.

Ald. Scannell did not support a legal contract with stipulations due to previous outcomes. Ald. Scannell was in favor of allowing three dogs.

Ald. Galvin did not want stipulations on the license. Ald. Galvin was in support of Officer Meves's decision and wanted to deny the permit to have an additional dog.

Ald. Zima made a motion to grant the permit to allow the Hudson family to have three dogs with a stipulation added that the dog be removed by July 1, 2018. There was no second and motion failed.

A motion was made by Ald. Dorff and seconded by Ald. Galvin to open the floor.

Ald. Scannell asked if the third dog could stay with family right away until the Hudson family moved. Hudson addressed concerns that the dog would not be able to bond with his children. Also, he wanted the dog to be a puppy to grow up around children. The July date would be allow time for the bonding between his children and the dog.

Ald. Dorff asked if he had every intention to move by July 1. Hudson said yes.

Ald. Scannell asked about the cats. Hudson said he would keep the cats until his mom would be able to care for them again.

A motion by Ald. Scannell and seconded by Ald. Dorff to close the floor.

A motion was made by Ald. Dorff and seconded by Ald. Scannell to approve an appeal by Robert Hudson to the denial of his permit for a third dog. Ald. Scannell, Ald. Dorff and Ald. Zima voted yes; Ald. Galvin voted nay. Motion carried 3-1.

5. Discussion with possible action on a request by Ald. Nicholson to review the implementation of a fee for dog permits, as previously discussed at the Oct. 30 P&W meeting.

Ald. Nicholson asked for staff to review the implementation for dog permits to earn extra revenue.

Officer Meves said it takes approximately two hours to review a permit. Officer Meves went through the requirements and process. Officer Meves asked the permit fee be

across the board and not just for dogs.

Ald. Zima asked about snakes. Officer Meves said someone can get a non-venomous snake.

Ald. Galvin asked if any other staff is involved in the permit process. Officer Meves said it is just her, with occasionally the Inspections Department.

Ald. Galvin asked how many permit applications she handles in a year. Officer Meves said at least 100 applications.

Ald. Dorff asked if there would be concern that people would not get a permit if there was a fee. Officer Meves said the responsible pet owners would pay the fee, but not all.

Ald. Scannell asked about if the interns could do more regarding the paperwork. Officer Meves said the interns do handout neighborhood letters.

Ald. Dorff asked if there are fees in other municipalities for multiple pets. Officer Meves said has not heard of that.

A motion was made by Ald. Zima to refer to staff to amend the current ordinance to include a permit fee of \$50 for a person seeking to have more than 3 dogs; a permit fee of \$25 for a person seeking to have more than 4 cats; and a permit fee of \$10 for all other pets.

Officer Meves asked if the current permits would be grandfathered in. Ald. Zima said they would be.

Ald. Galvin asked if each permit requires the same amount of time. Officer Meves confirmed. She said reptiles are easier to inspect, but still requires an inspection as the animal requires extra care.

Ald. Zima amended the motion to refer to staff to amend the current ordinance to include a permit fee of \$50 for the permit application for exotic animals, or anything that goes beyond what the legal limits are. There was no second and motion failed.

Ald. Dorff was opposed to the fee and mentioned how previously she wanted to increase the allowed number of dogs an owner could have as three.

Ald. Galvin agreed with the permit fee.

Ald. Dorff mentioned the fee would add \$5,000 to the budget, which is not much. She said it should be part of the service the Police Department provides.

Officer Meves suggested having the Clerk's Office taking in the paperwork so she would just have the inspections portion and approval.

Ald. Zima said it would be worthwhile to collect a permit fee of \$50.

A motion was made by Ald. Galvin and seconded by Ald. Dorff to refer to staff to investigate how to streamline the permitting process, possibly with help of the Clerk's Office with the intake/completion of the applications. Motion carried.

6. Consideration with possible action on an application for a Class "B" Beer License by Ruben Rodriguez at 1638 University Ave.

The Police and Law departments had no objections.

A motion was made by Ald. Galvin and seconded by Ald. Dorff to approve an application for a Class "B" Beer License by Ruben Rodriguez at 1638 University Ave., with the approval of the proper authorities. Motion carried.

7. For discussion and possible action, to authorize and approve the Intergovernmental Agreement between the City of Green Bay and the Town of Scott regarding the property expansion to Holy Cross Church.

Development Services Manager Bill Lockery provided information regarding the item.

A motion was made by Ald. Zima and seconded by Ald. Galvin to approve the Intergovernmental Agreement between the City of Green Bay and the Town of Scott regarding the property expansion to Holy Cross Church. There were no objections and motion carried.

8. Discussion with possible action on an ordinance relating to the prohibition of animals at special events with exception and a summary review of ordinance 6.15 regarding Special Events, as previously discussed at the Oct. 30 P&W Meeting.

Asst Cty Atty Bungert discussed ordinance 6.15 and the application process an applicant needs to go through.

Ald. Zima wanted to make the legislative branch to be final authority.

Ald. Dorff asked if timing is a concern.

Safety Manager Colleen Hinz said there is a monthly standing meeting and there are approximately 100 special events and many of them do not meet 60 day guideline.

Ald. Dorff asked if the process is working.

Safety Manager Hinz said yes.

Ald. Dorff asked how long it has been this way. Safety Manager Hinz said at least nine years.

Ald. Zima asked if there was a breakdown of special events.

Safety Manager Hinz cited examples like Melon Run, Run for the Hill of It, Turkey Trot, Farmer's Market, Holiday Parade, Multiple 5Ks, and Neighborhood Associations events.

Ald. Zima suggested having administrative staff process the little events, but have bigger events pass through the legislative process.

Safety Manager Hinz said sometimes she is approving special events a couple of days before the event because the department was waiting on certificates.

Ald. Zima stated they could add with the approval of proper authorities.

Chief of Staff Celestine Jeffreys said the Special Events Committee works with the planners to try to create a successful event, which can take time.

A motion was made by Ald. Dorff and seconded by Ald. Galvin to receive and place on file the summary review of ordinance 6.15 regarding special events. Motion carried.

Asst Cty Atty Bungert asked what the committee wanted to do with the draft ordinance regarding the prohibition of animals at special events with exception.

A motion was made by Ald. Dorff and seconded Ald. Galvin to separate the item regarding the ordinance relating to the prohibition of animals at special events with exception from the summary review of ordinance 6.15 regarding special events. Motion carried.

A motion was made by Ald. Dorff and seconded by Ald. Galvin to receive and place on file the summary review of ordinance 6.15 regarding special events. Motion carried.

A motion was made by Ald. Galvin and seconded by Ald. Dorff to approve the draft ordinance relating to the prohibition of animals at special events with exception as presented by staff. Motion carried.

9. Discussion with possible action on a request by the P&W Committee to have the Inspections Department develop a pro-active inspection approach and plans to address the rat problem, as previously discussed at the Oct. 30 P&W meeting.

Community Investment Manager William Paape said his plan is to perform proactive sweeps in the hot spot areas. He wanted to utilize all the inspectors in the designated areas. The Inspections Department would want to send correspondence that a sweep

would occur. He said the main focus would be violations that would relate to rats, but would issue orders if other violations exist.

The second part of the plan would be the educational piece and to hire a contractor and abate at City owned and RDA properties in hot spot areas.

Ald. Zima was concerned about finding other violations not relating to rats. He wanted to the rat problem to be the focus.

Paape noted it could be a problem if other issues were ignored that would later need to be addressed.

Ald. Galvin was excused from the meeting due to another committee meeting.

Ald. Dorff did not want the inspectors to turn a blind eye on other issues.

Ald. Zima wanted the only focus to be rats and rat related problems during the proactive investigations. He was concerned if the focus was on everything then not as many homes would not be investigated.

A motion was made by Ald. Dorff and seconded by Ald. Scannell to approve the proactive inspection approach and plans to address the rat problems with the main focus being on rats and the secondary focus being on obvious health and safety violations.

Ald. Zima said the public wants the emphasis on rats.

Ald. Scannell asked if changing the wording to notice would be better.

Ald. Zima wanted to keep the focus on rats and not the rest of the home.

Ald. Dorff made a motion to amend her motion to approve the proactive approach as presented by staff with the primary focus for the eradication of rats and a secondary focus for the noticeable health and safety concerns.

Ald. Zima mentioned the agenda item was about rats and not a proactive inspection of the City.

Ald. Dorff said violations of the law should not be ignored by the Inspections Department.

Ald. Scannell seconded the amended motion. Ald. Scannell and Ald. Dorff voted yes; Ald. Zima abstained. Motion carried. Ald. Zima wanted to record to note that his abstention was because he wanted the focus to be solely on rats.

10. For discussion, a report from the Green Bay Police Department regarding compliance check violations.

Cpt. LePine spoke on the compliance checks performed between Oct. 10 and Nov. 13 citywide. The Police Department used underage interns to go in and try to purchase alcohol at taverns, convenience stores, liquor stores and restaurants. Of the 115 businesses checked, there were 31 failures (26.9 percent failure rate).

In District A, 22 businesses were checked and six failed. Of those six, four didn't check ID and two misread the ID. District A was at a 27 percent failure rate.

In District B, 39 businesses were checked and 10 failed. Of those, four didn't check ID and six misread the ID. District B had a 25.6 percent failure rate.

In District C, 37 businesses were checked and eight failed. Of those, one didn't check ID and seven misread the ID. District C had a 21.6 percent failure rate.

In District D, 17 businesses were checked and 7 failed. Of those, four didn't check ID and three misread the ID. District D had a 41 percent failure rate.

Ald. Zima asked if it is common practice to have the system prompt to enter ID. Cpt LePine said in one incident the clerk actually entered her own date of birth instead of reading the ID. Cpt LePine said it was not widespread.

A motion was made by Ald. Zima to receive and place on file the request.

Ald. Scannell suggested another compliance check in springtime. Ald. Zima wanted it to be decided administratively to keep the checks unannounced.

A motion was made by Ald. Zima and seconded by Ald. Dorff to receive and place on file a report from the Green Bay Police Department regarding compliance check violations. There was no objections and motion carried.

11. Informational training by City Attorney's Office regarding prehearings under Green Bay Municipal Code 33.07(4).

Asst Cty Atty Bungert did a brief overview of prehearings.

A motion was made by Ald. Zima and seconded by Ald. Dorff to receive and place on file informational training by the City Attorney's Office regarding prehearings under Green Bay Municipal Code 33.07 (4). Motion carried.

A motion was made by Ald. Zima and seconded by Ald. Dorff to adjourn meeting. Meeting adjourned at 7:20 p.m.